

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

RH-TP-07-29,075

In re: 318 19th Street

Ward Six (6)

JACQUELINE BLACKWELL

Tenant /Appellant

v.

DUDLEY PRO REALTY, LLC et. al

Housing Provider /Appellee

ORDER ON MOTION FOR WITHDRAWAL OF APPEAL


May 28, 2008

YOUNG, CHAIRPERSON. On February 15, 2008, the tenant, Jacqueline Blackwell filed a notice of appeal in the Commission from the January 25, 2008 decision and order of the Office of Rent Administrative Hearings. On May 27, 2008, files a document with the title, "Praeipce Of Appellant Jacqueline Blackwell Withdrawing Notice Of Appeal And Requesting That The Case Be Remanded To The Office Of Administrative Hearings." The document stated, "Appellant Jacqueline Blackwell hereby withdraws the notice of appeal with the Rental Housing Commission on February 15, 2008 pursuant to the attached consent praecipe settling the issues contained in the appeal." The document further requested that the Commission remand this matter to the Office of Administrative Hearings for an order to dismiss the tenant petition without prejudice. Motion at 1. The document was signed by the attorney for the tenant. It was served on the housing provider the same day it was filed in the Commission.

The Commission's rule, 14 DCMR § 3824.1 (2004), states that a party "may file a motion to withdraw an appeal pending before the Commission." The Commission must "review all motions to withdraw to ensure that the interests of all parties are protected." 14 DCMR § 3824.2 (2004). The tenant's document is deemed a motion to withdraw appeal for purposes of the Commission's review.¹ Both agreed to the dismissal of the appeal and the remand of the tenant petition to the Office of Administrative Hearings for dismissal without prejudice.

Accordingly, the Commission concludes that the interests of all the parties were protected. The motion to withdraw the appeal is granted.

SO ORDERED.


RONALD A. YOUNG, COMMISSIONER

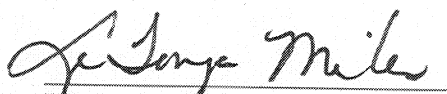
CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **ORDER ON MOTION FOR WITHDRAWAL OF APPEAL** in RH-TP-07-29,075 was mailed by priority mail, with confirmation of delivery, postage prepaid this **28th day of April, 2008**, to:

Jennifer L. Berger, Esquire
AARP/Legal Counsel for the Elderly
601 E Street, N.W.
Washington, D.C. 20049

Cornelius Dudley
Dudley Pro Realty, LLC
2101 Rhode Island Avenue, N.E.
Washington, D.C. 20018

¹ See Estate of Bertram Lee v. Susta Corp. Ltd., TP 24,692 (RHC June 2, 2000) where the Commission considered another document with the title "Withdrawal of Appeal" to be a motion to withdraw the appeal pursuant to 14 DCMR § 3824 (2004).



LaTonya Miles

Contact Representative

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